

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

CRAIG BRADLEY PATTERSON,

Plaintiff,

v.

Case No. 2:21-cv-670-JLB-NPM

STANLEY A SINN,
JANAHN J SINN and
S&J CLASSIC DEVELOPMENTS, LLC

Defendants.

REPORT AND RECOMMENDATION

This matter is before the Court on the Order to Show Cause entered on November 10, 2021 (Doc. 10). Plaintiff Craig Bradley Patterson filed a complaint and motion to proceed in forma pauperis (Docs. 1, 2). After Patterson complied with the Court's order to file a signed affidavit (Docs. 5, 6), the Court granted his motion on October 1, 2021 (Doc. 8). The Court provided Patterson thirty days to prepare and forward to the Clerk of Court completed service documents along with three copies of the Complaint. And the Court warned that failure to timely provide these documents may result in the dismissal of this action. (Doc. 8, p. 2). Patterson failed to provide the Clerk of Court the necessary paperwork within thirty days and still has not done so.

Therefore, the Court issued an order to show cause, which required Patterson to show cause why this case should not be dismissed for failure to prosecute and failure to comply with the Court's order. The order was mailed to Patterson, but it was returned on November 8. To ensure Patterson received notice of the show cause order, the Clerk added Patterson's email address to the docket and regenerated the notice to his email. Patterson did not respond to the order to show cause.

Pursuant to Local Rule 3.10, "[w]henver it appears that any case is not being diligently prosecuted the Court may, on motion of any party or on its own motion, enter an order to show cause why the case should not be dismissed, and if no satisfactory cause is shown, the case may be dismissed by the Court for want of prosecution." M.D. Fla. R. 3.10. By failing to prepare and forward to the Clerk of Court completed service documents and by failing to respond to court orders, Patterson has not shown that he is diligently prosecuting his case.

Accordingly, it is respectfully **RECOMMENDED**:

- 1) This action be dismissed for lack of prosecution;
- 2) All motions, deadlines, and hearings be terminated and cancelled; and
- 3) The case be closed.

Reported in Fort Myers, Florida on December 1, 2021.



NICHOLAS P. MIZELL
UNITED STATES MAGISTRATE JUDGE

NOTICE TO PARTIES

A party has fourteen days from this date to file written objections to the Report and Recommendation's factual findings and legal conclusions. A party's failure to file written objections "waives the right to challenge on appeal the district court's order based on unobjected-to factual and legal conclusions." *See* 11th Cir. R. 3-1. **To expedite resolution, parties may file a joint notice waiving the 14-day objection period.**